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January 20, 2015

Freeman, et al. v. HSBC Holdings plc, et al.,
14-CV-6601 (DLI) (CLP)

Dear Judge Pollak:

We represent Credit Suisse AG in the above-referenced matter and respectfully write, with the consent of co-defendants HSBC Holdings plc, HSBC Bank plc, HSBC Bank Middle East Limited, HSBC Bank USA, N.A., Barclays Bank PLC, Standard Chartered Bank and The Royal Bank of Scotland N.V., to address the schedule for briefing motions to dismiss.

In advance of last week's status conference, plaintiffs advised the Court that they "intend to file an amended complaint." (Pls.' Letter of Jan. 13, 2015 (Docket No. 34).) During the status conference on January 15, 2015, plaintiffs' counsel reiterated that they wish to amend the complaint to add new plaintiffs who have retained them and include additional factual allegations while asserting the same legal theories. The Court ordered plaintiffs to file their amended complaint by February 13 and instructed the parties to negotiate a briefing schedule for the motions to dismiss the amended complaint off of that date.

Notwithstanding the Court's directives, plaintiffs have advised defendants that plaintiffs do not want to file their amended complaint prior to the filing of motions to dismiss and will not agree that they are therefore waiving amendment as of right. Defendants believe plaintiffs' new position is inconsistent with the Court's directives.

Defendants respectfully request that the Court set the following schedule for motions to dismiss:

February 13	Plaintiffs file amended complaint or waive amendment as of right
March 16	Motions to dismiss operative complaint
April 17	Opposition
May 8	Reply

Thank you for the Court's consideration.

Respectfully submitted,

/s/ John D. Buretta
John D. Buretta

The Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
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VIA ECF AND FACSIMILE

Copies to:

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